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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,571	12/19/2001	Moses V. Chao	CHAO=11A	9320

1444 7590 12/18/2003

BROWDY AND NEIMARK, P.L.L.C.
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EXAMINER

NICHOLS, CHRISTOPHER J

ART UNIT PAPER NUMBER

1647

DATE MAILED: 12/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/021571

19 Dec. 2001

CHAO

EXAMINER

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Commissioner for Patents

Please see attached documents.

DETAILED ACTION

Status of Application, Amendments, and/or Claims

1. The Response and Amendment filed 23 September 2003 has been received and entered in full. Claim 1 has been amended and claims 8-35 have been cancelled.

Withdrawn Objections And/Or Rejections

2. The Rejection of claims 1 and 4-7 under 35 U.S.C. §112 ¶1 as set forth at pp. 3-9 ¶5-18 in the previous Office Action (2 September 2003) is *withdrawn* in view of Applicant's amendments (23 September 2003).
3. The Objection to claims 2 and 3 as set forth at pp. 3 ¶4 in the previous Office Action (2 September 2003) is *withdrawn* in view of Applicant's amendments (23 September 2003).
4. The Rejection of claims 1 and 6 under 35 U.S.C. §102(b) as set forth at pp. 9 ¶19 in the previous Office Action (2 September 2003) is *withdrawn* in view of Applicant's amendments (23 September 2003).
5. The Rejection of claims 1, 4, and 6 under 35 U.S.C. §102(b) as set forth at pp. 9-10 ¶20 in the previous Office Action (2 September 2003) is *withdrawn* in view of Applicant's amendments (23 September 2003).

Allowable Subject Matter

6. All claims are allowable. However, due to a potential reference under 35 U.S.C. §102(e), *ex parte* prosecution is SUSPENDED FOR A PERIOD OF 6 MONTHS from the date of this

Art Unit: 1647

letter. Upon expiration of the period of suspension, applicant should make an inquiry as to the status of the application.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Christopher James Nichols, Ph.D.** whose telephone number is 703-305-3955. The examiner can normally be reached on Monday through Friday, 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Gary Kunz, Ph.D.** can be reached on 703-308-4623. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9307 for After Final communications. The fax phone numbers for the customer service center is 703-872-9305.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

Elizabeth C. Kemmeter

ELIZABETH KEMMETTER
PRIMARY EXAMINER

CJN
December 1, 2003